

JOSEPH P. RUSSONIELLO (CSBN 44332)  
 United States Attorney  
 JOANN M. SWANSON (CSBN 88143)  
 Chief, Civil Division  
 MICHAEL T. PYLE (CSBN 172954 )  
 Assistant United States Attorney

U.S. Attorney's Office/Civil Division  
 450 Golden Gate Avenue, 9<sup>th</sup> Floor  
 San Francisco, California 94102-3495  
 Telephone: (415) 436-7322  
 Facsimile: (415) 436-6748  
 E-mail: michael.t.pyle@usdoj.gov

Attorneys for Defendant United States of America

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

VALERIE THAMES et al.,	)	No. 08-2617 SC
	)	
Plaintiffs,	)	<b>STIPULATION AND <del>[PROPOSED]</del></b>
	)	<b>ORDER TO CONTINUE DATE FOR</b>
v.	)	<b>INITIAL CASE MANAGEMENT</b>
	)	<b>CONFERENCE</b>
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval of the Court, that the date for the Initial Case Management Conference (currently scheduled for September 19, 2008 at 10:00 a.m.) be continued to **January 16, 2009 at 10:00 a.m.**

The stipulation is based on the fact that the parties have agreed to conduct a mediation, which stipulation was approved by the Court on September 5, 2008 (Docket No. 19). The parties intend to make a good faith effort to settle the case (or at least narrow the issues in dispute) through mediation and without the expenses of fact and expert discovery. The parties will exchange initial disclosures and file a Rule 26(f) report on the existing schedule. The parties have stipulated to continue the Initial Case Management Conference until January 2009 because counsel for the parties have an active trial schedule in 2009 that leaves little prospect for a trial in

2009 absent the settlement or other disposition of one or more of their respective cases. The parties expect that by January of 2009 they will be in a better position to schedule a trial date and other dates in the case as it seems likely that one or more of their cases will resolve between now and then. Furthermore, by January of 2009 the parties will know whether or not settlement or narrowing of the issues is possible and whether or not either party expects to bring a motion for summary adjudication or summary judgment.

The date for the Initial Case Management Conference was continued once by the Court to September 5, 2008 and then continued by stipulation of the parties to September 19, 2008 as the result of travel by counsel for Defendant.

DATED: September 8, 2008

By: /s/  
J. NILEY DORIT  
Attorney for Plaintiff

JOSEPH P. RUSSONIELLO  
United States Attorney

DATED: September 8, 2008

By: /s/  
MICHAEL T. PYLE  
Assistant United States Attorney  
Attorneys for Defendant

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

The date for the Initial Case Management Conference is continued from September 19, 2008 at 10:00 a.m. to **January 16, 2009 at 10:00 a.m.** The parties shall file a joint Case Management Conference Statement on or before January 9, 2009.

DATED: 9/9/08

